

Endangered Species Acts. The goals, policies and implementation measures found in this chapter are intended to be compatible with, but not overlap or duplicate, these federal and state requirements.

It must also be clearly understood that the identification of areas having open space resources does not imply or condone public access onto those lands unless that access is voluntarily given by the land owner. Many of the open space resources are located on privately owned lands. Protection of the resources on those lands is encouraged to occur through voluntary actions by the land owner, and the policies and implementation measures in this plan also offer incentives to the owners to accomplish that voluntary protection.

What Are Open Space Lands?

~~As previously noted, state law California Government Code Section 65560 defines open space as any area of land or water which is essentially unimproved and devoted to an open space use, as defined in a local open space element follows:~~

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas

which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

(5) Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.

(6) Open space for the protection of places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

While agriculture is considered a type of open space in state law, the County General Plan addresses agricultural resources separately in an Agricultural Element. Agricultural lands may have open space attributes, but are intensely managed and their open space values are often the result of the land being in agricultural production. Those agricultural lands containing open space resources are discussed in the Agriculture Element.

Open space lands can have some level of development occur on them while still serving as open space. It should not be expected that all lands determined to have open space values shall forever more remain undeveloped and untouched. To the contrary, the open space resources may be managed in a variety of ways ranging from a hands-off approach to a program of defined intervention to best preserve and protect the identified resource.

In San Luis Obispo County, open space limits urban sprawl, provides separation between communities and helps to define the identity of each community. It protects scenic vistas and areas that are hazardous for development. It provides opportunities for recreation, be it as large wilderness areas in remote parts of the county, or as small green spaces in the heart of a community.

The following is a description of the types of open space resources in this county. These general categories are those that are identified in State planning law when describing the types of open space to be considered in the preparation of an open space element.*